

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TOBY AARON GALLEGOS,

Defendant.

2:12-CR-328-MMD-(CWH)

FINAL ORDER OF FORFEITURE

On October 18, 2012, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) based upon the plea of guilty by defendant TOBY AARON GALLEGOS to criminal offense, forfeiting specific property alleged in the Criminal Indictment and agreed to in the Plea Agreement and shown by the United States to have a requisite nexus to the offense to which defendant TOBY AARON GALLEGOS pled guilty. Criminal Indictment, ECF No. 9; Plea Agreement, ECF No. 17; Preliminary Order of Forfeiture, ECF No. 18; Minutes of Change of Plea Proceedings, ECF No. 19.

This Court finds the United States of America published the notice of the forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from October 25, 2012, though November 23, 2012, further notifying all known third parties by personal service or by regular mail and certified mail return receipt requested, of their right . . .

1 to petition the Court. Notice of Filing Proof of Publication, ECF No. 20; Notice of Filing Service of
2 Process, ECF No. 25.

3 CSC Services of Nevada, Inc., registered agent for State Farm Insurance, was served by
4 personal service on January 31, 2013. ECF No. 25, p. 3-8.

5 Edward B. Rust Jr., Chairman and CEO of State Farm Insurance, was served by certified mail
6 and regular mail on January 3, 2013. ECF No. 25, p. 9-23.

7 William Russell Bonsack was served by certified mail and regular mail on January 3, 2013.
8 ECF No. 25, p. 24-38.

9 Chad Mullins of State Farm Insurance was served by certified mail and regular mail on
10 January 3, 2013. ECF No. 25, p. 39-53.

11 This Court finds no petition was filed herein by or on behalf of any person or entity and the
12 time for filing such petitions and claims has expired.

13 This Court finds no petitions are pending with regard to the assets named herein and the time
14 for presenting such petitions has expired.

15 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
16 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
17 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
18 32.2(c)(2); Title 18, United States code, Section 924(d)(1) and Title 28, United States Code, Section
19 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to
20 law:

- 21 a) Kimber Tactical Pro .45 caliber handgun bearing serial number KR87097; and
22 b) any and all ammunition.

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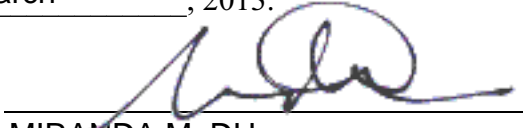
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
2 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as
3 any income derived as a result of the United States of America's management of any property forfeited
4 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

5 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
6 certified copies to the United States Attorney's Office.

7 DATED this 25th day of March, 2013.

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10 MIRANDA M. DU
11 UNITED STATES DISTRICT JUDGE
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